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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/762,649	04/09/2001	Wolfgang Neifer	6761-60186	7819

7590 02/14/2002  
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EXAMINER
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ST CYR, DANIEL

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 02/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/762,649	Applicant(s) NEIFER, WOLFGANG	
	Examiner Daniel St.Cyr	Art Unit 2876	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All   b) ☐ Some \*   c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

#### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

#### ***Specification***

2. The specification of the disclosure is objected to because the applicant failed to provide appropriated headings, such as "Background of the invention", "The summary of invention", "Brief description of the drawings", and "Detailed description of the drawings". Correction is required.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: A security system for communication environment.

#### ***Claim Objections***

4. Claims 1 and 9 are objected to because of the following informalities:

Claim 1, line 3, "the" should be changed to --the-- and line 7 change "information to -- data--.

Claim 9, line 1, change "and" to --or--.

Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mathurin, Jr., US Patent No. 5,473,144 in view of Bricaud et al, US patent No. 6,053,748.

Mathurin, Jr. discloses a credit card with digitized fingerprint and reading apparatus comprising: a credit card finger print reading apparatus 10 on top of a table 28 exhibiting a credit card 12 containing therein an actual and/or digitized finger print of an authorized credit card holder being scanned by the apparatus 10 whereas the credit card is inserted in the credit card insertion slot 18. The apparatus 10 further exhibiting an access door 14 housing auxiliary power means 32 and a power on/off switch 16. The cardholder places his/her finger on the fingerprint-scanning screen 20 located on the angled front face 30 and the fingerprint is scanned by the finger print scanner 22. If the finger print scanned by the finger print scanner 22 and the finger print scanned on the credit card do not match then the red indicator light 24 illuminates alerting the user that a fraudulent transaction is about to take place. If the green indicating light 26 illuminates, then the user is alerted that the card and card holder are valid (see figures 1-4; col. 14, line 43+).

Mathurin, Jr. fails to disclose or fairly suggests that the card is formatted into a pc card.

Bricaud et al disclose a PC card connection unit for micro SIM card comprising: a connector 64 is provided that is intended to receive a small smart card C with integrated circuit(s) of the "MICRO SIM" type, the connector lying within the PC card 30 (see col. 4, line 43+).

In view of Bricaud et al's teachings, it would have been obvious for an artisan at the time the invention was made to modify the card of Mathurin, Jr. into the well-known PC card for

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providing a more versatile system. Such modification would allow the card to be configured in a way such that users could use their personal computer to verify information in the card, which would be more convenient. Therefore, it would have been an obvious expedient.

#### **Additional Remarks**

7. It is noted that EP Patent No. 0 159 539 A has been cited as X-reference in the international search report.

#### **Conclusion**

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Swonger et al, US patent No. 4,210,899, disclose a fingerprint-based access control and identification apparatus. Chou et al, US patent No. 5,648,648, disclose a personal identification system for use with fingerprint data in secured transactions. Meadows, II et al, US Patent No. 5,869,822, disclose an automated fingerprint identification system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel St.Cyr whose telephone number is 703-305-2656. The examiner can normally be reached on Mon-Fri.

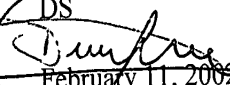
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7721 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

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Daniel St.Cyr  
Examiner  
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DS  
  
February 11, 2002